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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91224568
Party	Plaintiff Duke University
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Date	05/06/2016
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Trademark Trial and Appeal Board**

Duke University, Plaintiff-Opposer  vs.  Dallara Automobili S.p.A., Defendant-Applicant	<b>Opposition No. 91224568</b>
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Attorney Reference: DUKU9365

**JOINT MOTION TO AMEND AND FOR WITHDRAWAL OF OPPOSITION**

The parties, by and through their counsel, hereby stipulate and move as follows:

1. With the consent of Opposer, Duke University, Applicant, Dallara Automobili S.p.A., amends its application to register the mark that is the subject of this proceeding, U.S. Trademark Application Serial No. 79161714 (the “Application”), to add the below-underlined text, as follows:

- a. In International Class 009:

Spectacles; sunglasses; sports glasses; spectacle frames; spectacle cases; optical apparatus, namely, optical character recognition apparatus; video and computer game programs; simulators, namely, vehicle drive training simulators; simulators for driving and control of vehicles; in all cases, such goods excluding goods intended to promote collegiate athletic teams, colleges, universities, and health care facilities.

- b. In International Class 012:

Vehicles, namely, land vehicles, automobiles, trucks, vans, sports utility vehicles, passenger automobiles; apparatus for locomotion by land, namely, motor cars for transport on land; in all cases, such goods excluding goods intended to promote collegiate athletic teams, colleges, universities, and health care facilities.

- c. In International Class 025:

Clothing, namely, pants, shirts, shorts, tops, blouses, polo shirts, T-shirts, sweatshirts, dresses, skirts, jackets, coats, sweaters, sweat pants, bathing suits, stockings, ties, scarves, trousers, overalls; shoes; headwear; athletic apparel for gymnastics and sports, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; in all

cases, such goods excluding goods intended to promote collegiate athletic teams, colleges, universities, and health care facilities.

d. In International Class 028:

Games, namely, interactive video game programs, action skill games, arcade game machines; toys, namely, electric action toys, electronic toy vehicles; toy model vehicles, namely, land vehicles, automobiles, trucks, vans and sports utility vehicles; toy model cars; toy model vehicles; gymnastic apparatus and sporting equipment, namely, bags specially adapted for sports equipment; in all cases, such goods excluding goods intended to promote collegiate athletic teams, colleges, universities, and health care facilities.

2. Subject to entry of the foregoing amendments and effective upon entry of the foregoing amendments to the Application, with the consent of Applicant, Opposer hereby withdraws Opposition No. 91224568.

Respectfully submitted, this 6<sup>th</sup> day of May, 2016.

**OLIVE & OLIVE, P.A.**

Attorneys for Opposer

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## CERTIFICATE OF SERVICE

Pursuant to an agreement between the parties calling for electronic service of documents, the undersigned certifies that a true copy of the foregoing document, together with any and all attachments thereto, is served upon Applicant by emailing a copy to Applicant's counsel of record at the email address provided for that purpose on May 6, 2016, to wit:

Silvia Cudia  
Bugnion S.p.A.  
[cudia@bugnion.it](mailto:cudia@bugnion.it)

This the 6<sup>th</sup> day of May, 2016.

*/Sofia M. Hernandez/*

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